



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 45

**An Act to amend the Act respecting
safety in sports mainly to better
protect the integrity of persons
in recreation and sports**

Introduction

**Introduced by
Madam Isabelle Charest
Minister Responsible for Sports, Recreation
and the Outdoors**

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EXPLANATORY NOTES

This bill amends the Act respecting safety in sports mainly to reinforce the measures for protecting the integrity of persons in recreation and sports.

For that purpose, the scope of the Act is broadened to include the recreational activities determined by government regulation. Sports federations and unaffiliated sports bodies are entrusted with the responsibility to see that their safety regulations are observed, and the Minister is given the power to order a person to observe those regulations where the federation or body fails to enforce them.

The bill provides that the Government is to appoint a recreation and sports integrity ombudsman responsible for receiving any complaint in matters of integrity and for making recommendations in that regard, in particular to a sports federation, a sports body or a recreation body. The bill establishes that the ombudsman must promote the ombudsman's role and the complaint processing procedure as well as give an opinion to the Minister on any matter within the ombudsman's jurisdiction. The ombudsman is also empowered to take action after receiving a report or on the ombudsman's own initiative and is granted inspection powers in that regard.

Protection is granted against reprisals, in particular to persons who make a report or file a complaint. The Minister, the recreation and sports integrity ombudsman and any person designated for that purpose by them are vested with investigation powers and immunity.

The bill requires sports federations, sports bodies and recreation bodies to make background verifications concerning persons who work with, or are regularly in contact with, minors or handicapped persons, in particular with regard to the declaration of their judicial record. The Government is granted regulatory powers in that regard, including the power to determine cases in which such a verification must also cover behaviours that could reasonably pose a threat for the safety or integrity of minors or handicapped persons.

Lastly, the bill makes amendments to the penal provisions and includes transitional provisions.

LEGISLATION AMENDED BY THIS BILL:

- Financial Administration Act (chapter A-6.001);
- Act respecting safety in sports (chapter S-3.1).

Bill 45

AN ACT TO AMEND THE ACT RESPECTING SAFETY IN SPORTS MAINLY TO BETTER PROTECT THE INTEGRITY OF PERSONS IN RECREATION AND SPORTS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING SAFETY IN SPORTS

1. The title of the Act respecting safety in sports (chapter S-3.1) is amended by inserting “recreation and” before “sports”.

2. Section 1 of the Act is amended

(1) by inserting the following paragraph before paragraph 2:

“(1) “recreation” and “recreational activity” mean a recreational activity practised during one’s free time, determined by government regulation and having an organizational structure;”;

(2) by inserting “in combat sports” after “contestants” in paragraph 2;

(3) by inserting the following paragraph after paragraph 2:

“(3) “recreation body” means an organization one of whose activities is to organize a recreational activity or coordinate the supply of services with regard to such an activity;”;

(4) by striking out the paragraph number of each of its paragraphs, and by placing all the definitions in the English text in alphabetical order.

3. Section 2 of the Act is replaced by the following section:

“2. This Act does not apply to professional sports, except with regard to sports events and only to the extent provided for in Chapter V and the other provisions related to Chapter V.”

4. Section 20 of the Act is amended

(1) in the first paragraph,

(a) by inserting “les loisirs et” after “dans” in the French text;

(b) by replacing “supervising personal safety and integrity in the practice of sports” by “seeing that the safety and integrity of persons in recreation and sports is ensured”;

(2) in the second paragraph,

(a) by replacing “sports safety” in subparagraphs 1 and 2 by “the safety and integrity of persons in recreation and sports”;

(b) by replacing “safety in relation to the practice of sports” in subparagraph 3 by “the safety and integrity of persons in recreation and sports”;

(c) by replacing “safety training methods for persons who work in the sports field” in subparagraph 4 by “methods for training persons who work in recreation and sports with respect to the safety and integrity of persons”;

(d) by replacing “sports safety” in subparagraph 6 by “the safety and integrity of persons in recreation and sports”;

(e) by replacing subparagraph 8 by the following subparagraph:

“(8) encourage non-violence in recreation and sports.”

5. Section 21 of the Act is amended by replacing paragraph 2 by the following paragraph:

“(2) establish, by regulation, standards for ensuring the safety and integrity of persons during the practice of a recreational activity or a sport; such standards may pertain, in particular, to behaviours that are prohibited;”.

6. The Act is amended by inserting the following section after section 21:

“21.1. A sports federation, a sports body or a recreation body must provide the Minister with any information or document required by the Minister for the purposes of this Act.”

7. Section 22 of the Act is amended

(1) by inserting “or integrity” after “safety”;

(2) by inserting “a recreational activity or” after “practising”.

8. The Act is amended by inserting the following section after section 22:

“23. For the conduct of an inquiry, the Minister and any person designated for that purpose are vested with the powers and immunity of commissioners appointed under the Act respecting public inquiry commissions (chapter C-37), except the power to order imprisonment.”

- 9.** Section 24 of the Act is repealed.
- 10.** Section 25 of the Act is amended, in the second paragraph,
- (1) by inserting the following subparagraph after subparagraph 5:
“(6) enter, at any reasonable time, any premises where a recreational activity can be practised and take photographs and make recordings;”;
 - (2) by inserting “recreational activity or” after “where” in subparagraph 8.
- 11.** Section 26 of the Act is amended by striking out “by its members” in the first paragraph.
- 12.** Section 27 of the Act is amended
- (1) in the third paragraph,
 - (a) by inserting “, if the Minister considers it necessary,” after “may”;
 - (b) by striking out “where after their approval by the Minister, the regulations or any provision thereof prove ineffective to ensure public safety in the practice of sports”;
 - (2) by replacing “provisions which have proved ineffective” in the fourth paragraph by “necessary provisions”.
- 13.** Section 29 of the Act is amended by striking out “, by registered mail,”.
- 14.** Section 29.1 of the Act is replaced by the following section:
- “**29.1.** The Minister may order a person to observe the safety regulations of a sports federation or unaffiliated sports body where the federation or body fails to enforce them.”
- 15.** Section 30 of the Act is repealed.
- 16.** The Act is amended by inserting the following chapters after section 30:

“**CHAPTER IV**

“**RECREATION AND SPORTS INTEGRITY OMBUDSMAN**

“**DIVISION I**

“**APPOINTMENT AND ORGANIZATION**

“**30.1.** On the recommendation of the Minister, the Government shall appoint a recreation and sports integrity ombudsman. The ombudsman’s term of office must not exceed five years.

The person so appointed must have knowledge of the recreation and sports sector and of dispute resolution mechanisms.

“30.2. The recreation and sports integrity ombudsman shall exercise the functions of office exclusively and on a full-time basis.

“30.3. At the expiry of the term, the recreation and sports integrity ombudsman remains in office until replaced or reappointed.

“30.4. If the recreation and sports integrity ombudsman is absent or unable to act, or the office is vacant, the Minister shall appoint a replacement acting on a full-time basis to act as interim ombudsman.

“30.5. The recreation and sports integrity ombudsman must not be, in particular,

(1) a member of the board of directors of a sports federation, sports body or recreation body;

(2) an employee of a sports federation, sports body or recreation body; or

(3) a relative or the spouse of a person referred to in paragraph 1 or 2.

“30.6. The Government shall fix the recreation and sports integrity ombudsman’s salary, conditions of employment and, where applicable, allowances or fees.

“30.7. The members of the recreation and sports integrity ombudsman’s personnel shall be appointed in accordance with the Public Service Act (chapter F-3.1.1).

“30.8. The recreation and sports integrity ombudsman is a body for the purposes of the law.

The recreation and sports integrity ombudsman’s head office is located at the place determined by the Government.

Notice of the location and any change of location of the head office shall be published in the *Gazette officielle du Québec*.

“DIVISION II

“FUNCTIONS AND RESPONSIBILITIES

“30.9. The recreation and sports integrity ombudsman is responsible for receiving any complaint in matters of integrity and for making recommendations in that regard, in particular to a sports federation, sports body or recreation body.

“30.10. The recreation and sports integrity ombudsman is responsible for the application of the provisions relating to the complaint processing procedure provided for by this Act.

For that purpose, the ombudsman shall promote the ombudsman’s role and the complaint processing procedure provided for by this Act.

“30.11. The recreation and sports integrity ombudsman shall give an opinion to the Minister on any matter within the ombudsman’s jurisdiction.

“DIVISION III

“COMPLAINTS

“30.12. The recreation and sports integrity ombudsman shall process any complaint filed by a person.

“30.13. The recreation and sports integrity ombudsman shall assist any persons who require it in filing a complaint or in taking any action relating to the complaint and inform them of their right to be accompanied by a person of their choice, at any step of the processing of the complaint.

“30.14. Any complaint must be filed in writing and addressed to the recreation and sports integrity ombudsman.

The complaint must also be filed in accordance with the other terms that the Minister determines by regulation.

“30.15. The recreation and sports integrity ombudsman may, if the ombudsman considers that circumstances so warrant, refuse to examine a complaint or terminate the examination of a complaint where a proceeding is brought by the complainant before a court of justice or before a person or body of the administrative branch exercising adjudicative functions, where the proceeding regards the facts on which the complaint is based and where, in the ombudsman’s opinion, the conclusions sought by bringing the proceeding are similar to the conclusions sought by filing the complaint.

The recreation and sports integrity ombudsman may also refuse to examine a complaint if the ombudsman considers that another proceeding could correct the situation giving rise to the complaint adequately and within a reasonable time.

“30.16. The recreation and sports integrity ombudsman may, upon summary examination, refuse or cease to examine any complaint if, in the ombudsman’s opinion, it is frivolous, vexatious or made in bad faith.

The recreation and sports integrity ombudsman may also refuse or cease to examine a complaint if

(1) the complainant refuses or neglects to provide any information or document that the ombudsman considers relevant for a clear understanding of the facts;

(2) the ombudsman has reasonable grounds to believe that the ombudsman's intervention would clearly serve no purpose; or

(3) the lapse of time between the facts on which the complaint is based and the receipt of the complaint makes it impossible to examine the complaint.

“30.17. Each time the recreation and sports integrity ombudsman refuses to examine a complaint or terminates the examination of a complaint, the ombudsman must notify the complainant in writing without delay, giving reasons and, in the case of the second paragraph of section 30.15, indicating the proceedings to be brought.

The recreation and sports integrity ombudsman may also, if of the opinion that the complaint may be processed by another person or body and with the complainant's consent, send the information relating to the complaint to that person or body.

“30.18. When the recreation and sports integrity ombudsman examines a complaint, the ombudsman must inform the sports federation, sports body or recreation body concerned and send it a copy of the complaint, unless the ombudsman has reasonable grounds to believe that sending the information could impede an investigation. The federation or body must in that case send the information it holds relating to the complaint to the ombudsman without delay.

The recreation and sports integrity ombudsman shall give the complainant and the person directly concerned by the complaint the opportunity to be heard and, where applicable, invite those persons to remedy the situation which gave rise to the complaint.

When the complaint is sent, the recreation and sports integrity ombudsman shall ensure follow-up on the actions taken by the federation or the body.

If the recreation and sports integrity ombudsman terminates the examination of the complaint, the ombudsman shall so inform the federation or the body. If the recreation and sports integrity ombudsman considers it expedient, the ombudsman may also inform the person directly concerned by the complaint.

“30.19. The recreation and sports integrity ombudsman may, if the ombudsman considers it appropriate and if the complainant and the other parties consent to it in writing, meet with them to attempt to bring the parties to an agreement. The complaint processing is suspended for the duration of that process.

“30.20. During the examination of a complaint, the recreation and sports integrity ombudsman may, if the ombudsman considers it expedient, conduct an investigation.

The ombudsman may also entrust the investigation to a person the ombudsman designates.

“DIVISION IV

“REPORTS AND INITIATIVE OF THE OMBUDSMAN

“30.21. The recreation and sports integrity ombudsman must, after receiving a report or on the ombudsman’s own initiative and if of the opinion that the information in the ombudsman’s possession could show a failure with regard to integrity, send the information to the sports federation, sports body or recreation body concerned unless the ombudsman has reasonable grounds to believe that sending the information could impede an investigation.

The recreation and sports integrity ombudsman shall assist any person who requires it in making a report or in taking any action relating to it.

In addition, the recreation and sports integrity ombudsman shall process such information as a complaint that the ombudsman examines in accordance with the provisions of Division III of this chapter, with the necessary modifications.

“30.22. The recreation and sports integrity ombudsman shall take all necessary measures to preserve the confidentiality of any information allowing a person who has made a report to be identified, unless the person consents to being identified. However, the ombudsman may communicate the identity of the person to the director of youth protection or to the police force concerned.

“30.23. In exercising functions assigned under this division, the recreation and sports integrity ombudsman and any person authorized by the ombudsman may act as inspectors.

“30.24. Persons acting as inspectors may

(1) enter, at any reasonable time, the premises of a sports federation, sports body or recreation body;

(2) require, for examination or reproduction purposes, any information or document relating to the application of this division;

(3) take photographs or make recordings; and

(4) require a person, by any means that allows proof of receipt and of the exact time of receipt, to communicate to them any information or document required for exercising inspection functions conferred on them by this division, within the time and according to the conditions they specify.

“30.25. Persons acting as inspectors must, on request, identify themselves and produce a certificate of authority.

No judicial proceedings may be brought against such persons for any act done in good faith in the exercise of their functions.

“DIVISION V

“INVESTIGATIONS, IMMUNITY AND PROTECTION AGAINST REPRISALS

“30.26. For the conduct of an investigation, the recreation and sports integrity ombudsman and any other person authorized for such purpose are vested with the powers and immunity of commissioners appointed under the Act respecting public inquiry commissions (chapter C-37), except the power to order imprisonment.

“30.27. Despite any other general law or special Act, the recreation and sports integrity ombudsman and members of the ombudsman’s personnel cannot be compelled to make a deposition relating to information obtained in the exercise of their functions or produce any document containing such information.

Despite section 9 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), no person has a right of access to such a document.

“30.28. No judicial proceedings may be brought against the recreation and sports integrity ombudsman and members of the ombudsman’s personnel for an omission or act in good faith in the exercise of their functions.

No judicial proceedings may be brought against a person who, in good faith, has made a report or filed a complaint, cooperated in the processing of a report or complaint or accompanied a person who has made a report or filed a complaint in accordance with this Act.

“30.29. No civil action may be instituted because of the publication of conclusions, recommendations or reports of the recreation and sports integrity ombudsman or the publication, in good faith, of an extract from or summary of such conclusions, recommendations or reports.

“30.30. Except on a question of jurisdiction, no application for judicial review under the Code of Civil Procedure (chapter C-25.01) may be exercised nor any injunction granted against the recreation and sports integrity ombudsman or a member of the ombudsman’s personnel in the exercise of their functions.

“30.31. Reprisals are prohibited against a person who, in good faith, makes a report or files a complaint, cooperates in the processing of a report or complaint or accompanies a person who makes a report or files a complaint in accordance with this Act.

It is also prohibited to threaten to take a reprisal against a person to dissuade them from performing an act described in the first paragraph.

The demotion, suspension, termination of employment or transfer of a person or any disciplinary or other measure that adversely affects the employment or working conditions of a person is presumed to be a reprisal. Depriving a person of any right, subjecting them to differential treatment or suspending or expelling them is also presumed to be a reprisal.

“DIVISION VI

“CONCLUSIONS AND RECOMMENDATIONS

“30.32. The recreation and sports integrity ombudsman must, within 45 days after receiving a complaint, complete the examination of the complaint and determine the conclusions and, if applicable, the recommendations the ombudsman considers advisable to make to the sports federation, sports body or recreation body concerned.

The time limit specified in the first paragraph shall be extended by the number of days equivalent to the period during which the processing of the complaint was suspended under section 30.19, if applicable.

“30.33. The recreation and sports integrity ombudsman shall send the ombudsman’s conclusions and recommendations to the sports federation, sports body or recreation body concerned and to the complainant. The ombudsman may also send them to the person directly concerned by the complaint. If the ombudsman considers it expedient, the ombudsman shall also send them to any other body concerned.

“30.34. The sports federation, sports body or recreation body must, within 15 days after receiving any conclusion or recommendation, inform the complainant and the recreation and sports integrity ombudsman in writing of the action it intends to take on the recommendation or conclusion and, if applicable, of the grounds for any refusal to take action on it.

“30.35. If the sports federation, sports body or recreation body fails to take action on the recommendations of the recreation and sports integrity ombudsman, or fails to implement another measure appropriate to the situation that led to the complaint, the recreation and sports integrity ombudsman shall send the Minister the conclusions and recommendations made to the federation or body and the grounds invoked by the latter.

“30.36. Where the recreation and sports integrity ombudsman sends the Minister the conclusions and recommendations made to a sports federation, sports body or recreation body and the grounds invoked by that federation or body for not acting on them, the Minister may order the federation or body to take the measures indicated by the Minister, if the Minister considers it necessary to ensure respect for the integrity of persons.

“DIVISION VII

“FINANCIAL PROVISIONS, ACCOUNTS AND REPORTS

“30.37. The fiscal year of the recreation and sports integrity ombudsman ends on 31 March.

“30.38. The recreation and sports integrity ombudsman must, not later than 30 June of each year, send the Minister a report on the ombudsman’s activities for the preceding year. The report must list separately the complaints and reports received.

The report must state, in particular,

- (1) the number of complaints received, examined, refused or abandoned since the last report, and the nature of and grounds for those complaints;
- (2) the time taken for complaint examination; and
- (3) the nature of the recommendations and the action taken on those recommendations within the scope of the examination of a complaint.

The Minister may, by regulation, prescribe any other information that the recreation and sports integrity ombudsman’s annual report must contain as well as the form of the report.

“CHAPTER IV.1

“BACKGROUND VERIFICATIONS

“31. For the purposes of this chapter, “judicial record” means

- (1) a finding of guilty for a criminal offence committed in Canada or elsewhere, unless a pardon has been obtained for that offence;

(2) a charge still pending for a criminal offence committed in Canada or elsewhere; and

(3) a court order subsisting against a person in Canada or elsewhere.

“32. Before persons who would be required to work with, or to be regularly in contact with, minors or handicapped persons take office, a sports federation, sports body or recreation body must ensure that they have no judicial record relevant to the functions that could be assigned to them within the federation or body.

To that end, such persons must send a declaration concerning their judicial record to the federation or body. The federation or body shall verify the declaration or have it verified.

“33. At the request of a sports federation, sports body or recreation body, persons who work with, and persons regularly in contact with, minors or handicapped persons must send it a declaration concerning their judicial record to enable the federation or body to ensure that they have no judicial record relevant to their functions within the federation or body.

To that end, the federation or body may act on the strength of that declaration, verify the declaration or have it verified.

“34. If a sports federation, sports body or recreation body has reasonable grounds to believe that a person who works with, or is regularly in contact with, minors or handicapped persons has a judicial record, it must require the person to send it a declaration concerning the person’s judicial record. The person is required to comply with the request within 10 days.

The federation or body must verify the declaration or have it verified, and ensure that the person has no judicial record relevant to the person’s functions within the federation or body.

“35. Within 10 days after being notified of a change in their judicial record, persons who work with, and persons regularly in contact with, minors or handicapped persons must inform the sports federation, sports body or recreation body of the change, regardless of whether they have already filed a declaration concerning their judicial record.

The federation or body must verify the declaration or have it verified, and ensure that such persons have no judicial record relevant to their functions within the federation or body.

“36. When a sports federation, sports body or recreation body verifies a declaration concerning a judicial record, or has such a declaration verified, it may have it verified by, among others, a Québec police force and, to that end, communicate or receive any information for the verification.

“37. The form for declarations concerning a judicial record must state that the sports federation, sports body or recreation body may verify the declaration, or have it verified by, among others, a Québec police force, and, to that end, communicate and receive any information for the verification.

“38. The background verifications must, in the cases determined by regulation, also pertain to behaviours that could reasonably pose a threat for the safety or integrity of minors or handicapped persons.

“39. Police forces in Québec are required to communicate any information and documents required by regulation that are necessary to establish the existence or absence of judicial records referred to in this chapter.

Such police forces are also required to provide, in the cases and on the conditions determined by regulation, any information and documents necessary to establish the existence or absence of behaviours that could reasonably pose a threat for the safety or integrity of minors or handicapped persons.

“39.1. Information concerning background verifications may be gathered, used and kept only with a view to ensuring the safety and integrity of minors or handicapped persons in the application of this chapter.

The sports federation, sports body or recreation body must make sure that such information is accessible only to persons qualified to receive it due to their responsibilities, and that those persons undertake in writing with the federation or body to comply with the purposes set out in the first paragraph.

“39.2. The Minister and the Minister of Public Security must enter into a framework agreement establishing the procedures to be followed by Québec police forces when conducting verifications for sports federations, sports bodies and recreation bodies.

“39.3. The Minister may prepare a background verification guide for sports federations, sports bodies and recreation bodies and ensure that it is disseminated.

“39.4. The Government may, by regulation,

(1) determine the information and documents necessary for establishing the existence or absence of a judicial record that police forces are required to provide to a sports federation, sports body or recreation body or to a person who is the subject of a judicial record verification, and prescribe the fees payable for the issue of such documents;

(2) determine the cases in which a judicial record declaration is not required;

(3) determine the cases in which verification of a judicial record declaration is not required;

(4) determine the terms and conditions applicable to judicial record declarations and verifications; and

(5) determine the cases in which background verifications must also pertain to behaviours that could reasonably pose a threat for the safety or integrity of minors or handicapped persons, and prescribe the applicable terms and conditions.

“39.5. The Minister may order a person, sports federation, sports body or recreation body to take such appropriate measures as the Minister may indicate to ensure the safety and integrity of minors or handicapped persons in accordance with the provisions of this chapter.”

17. Section 46.2.5 of the Act is amended

(1) by replacing “on safety” in paragraph 1 by “on the safety and integrity of persons”;

(2) by replacing “safety training methods for persons who work in the field of professional combat sports” in paragraph 2 by “methods for training persons who work in professional combat sports with respect to the safety and integrity of persons”.

18. Section 46.2.6 of the Act is amended

(1) by inserting “or integrity” after “safety” in the first paragraph;

(2) by striking out the second paragraph.

19. Section 46.11 of the Act is amended by replacing “pocket-size diagram of the ski slopes and ski lifts is available at the ticket office to those Alpine skiers who wish to have one. The content of the diagram shall be” by “diagram of the ski slopes and ski lifts is available to Alpine skiers, in the form and with the content”.

20. Section 46.39 of the Act is amended by replacing “and 21, 26 to 30” by “, 21, 21.1, 26 to 29.1, 30.35, 30.36, 39.5”.

21. Section 54 of the Act is amended

(1) by inserting the following paragraph after paragraph 1:

“(2) determine the activities covered by the definition of “recreation” or “recreational activity” provided in this Act;”;

(2) by replacing “of Alpine ski centres or of sports” in paragraph 8 by “sports federations, sports bodies, recreation bodies, Alpine ski centres, recreational activities or sports”.

22. Section 55 of the Act is amended

(1) by replacing paragraph 1 by the following paragraph:

“(1) establish standards for ensuring the safety and integrity of persons during the practice of a recreational activity or a sport; such standards may pertain, in particular, to behaviours that are prohibited;”;

(2) by replacing paragraph 11 by the following paragraph:

“(11) prescribe the filing and processing procedures for complaints made to the recreation and sports integrity ombudsman.”

23. Section 55.1 of the Act is amended

(1) by inserting “form and” after “prescribe the” in paragraph 9;

(2) by inserting “, as well as to the keeping of registers” at the end of paragraph 15.

24. Section 55.2 of the Act is amended by inserting “of recreational activities,” after “classes”.

25. Section 58 of the Act is amended

(1) by replacing “is guilty of an offence and is liable to a fine of \$100 to \$5,000” in the first paragraph by “is liable to a fine of \$250 to \$2,500”;

(2) by replacing the introductory clause of the second paragraph by the following introductory clause: “The first paragraph does not apply in the following cases:”.

26. The Act is amended by inserting the following section after section 58:

“58.1. Anyone who threatens or intimidates or attempts to threaten or intimidate a person or takes or attempts to take reprisals against a person because the person complies with this Act, exercises a right provided for by this Act or reports conduct that contravenes this Act commits an offence and is liable to a fine of \$2,000 to \$20,000 in the case of a natural person and \$10,000 to \$250,000 in any other case.”

27. Section 59 of the Act is amended by replacing “is guilty of an offence and is liable to a fine of \$200 to \$10,000” by “is liable to a fine of \$500 to \$5,000 in the case of a natural person and \$1,000 to \$10,000 in any other case”.

28. The Act is amended by inserting the following sections after section 59:

“59.1. The operator of an Alpine ski centre who contravenes a provision of this Act or the regulations is liable to a fine of \$500 to \$5,000 in the case of a natural person and \$1,000 to \$10,000 in any other case.

“59.2. A person who contravenes section 46.17 is liable to a fine of \$250 to \$2,500.

“59.3. Anyone who contravenes section 46.18 is liable to a fine of \$500 to \$5,000 in the case of a natural person and \$1,000 to \$10,000 in any other case.”

29. Section 60 of the Act is amended

(1) by replacing “is guilty of an offence and is liable to a fine of \$200 to \$10,000” in the first paragraph by “is liable to a fine of \$1,000 to \$10,000 in the case of a natural person and \$2,000 to \$20,000 in any other case”;

(2) by striking out the second paragraph.

30. Section 60.1 of the Act is amended

(1) by inserting “, the recreation and sports integrity ombudsman” after “Minister”;

(2) by inserting “30.20, 30.24,” after “25,”;

(3) by replacing “is guilty of an offence and is liable to a fine of \$100 to \$5,000” by “is liable to a fine of \$500 to \$5,000 in the case of a natural person and \$1,000 to \$10,000 in any other case”.

31. Section 61 of the Act is amended by replacing “is guilty of an offence and is liable to a fine of \$50 to \$500” by “is liable to a fine of \$250 to \$2,500 in the case of a natural person and \$500 to \$5,000 in any other case”.

32. Section 63 of the Act is amended by replacing “convicted therefor” by “found guilty”.

33. Section 64 of the Act is amended by striking out “himself a party to the offence and”.

34. The Act is amended by inserting the following section after section 64:

“64.1. The amounts of the fines prescribed in this chapter are doubled for a subsequent offence.”

35. Section 65 of the Act is amended

(1) by replacing “one year from the date on which the investigation record relating to the offence was opened” in the first paragraph by “two years from the date on which the offence was committed”;

(2) by striking out the second paragraph.

36. The Act is amended by replacing “convicted” by “found guilty” in the following provisions:

(1) subparagraph 1 of the first paragraph of section 46;

(2) subparagraph 1 of the first paragraph of section 46.1;

(3) section 46.20;

(4) section 46.21.

FINANCIAL ADMINISTRATION ACT

37. Schedule 1 to the Financial Administration Act (chapter A-6.001) is amended by inserting “Recreation and sports integrity ombudsman” in alphabetical order.

TRANSITIONAL AND FINAL PROVISIONS

38. Unless the context provides otherwise, in any Act, regulation or other document, a reference to the Act respecting safety in sports (chapter S-3.1) becomes a reference to the Act respecting safety in recreation and sports (chapter S-3.1).

39. The recreation and sports integrity ombudsman must, not later than *(insert the date that is five years after the date of coming into force of Chapter IV of the Act respecting safety in recreation and sports, enacted by section 16)*, report to the Minister on the implementation of Chapter IV of the Act respecting safety in recreation and sports. The report may, in particular, contain recommendations to improve the complaint processing scheme.

The Minister tables the report in the National Assembly within 30 days after receiving it or, if the Assembly is not sitting, within 30 days after resumption.

40. Persons who, on the date of coming into force of Chapter IV.1 of the Act respecting safety in recreation and sports, enacted by section 16, exercise functions within a sports federation, sports body or recreation body and work with, or are regularly in contact with, minors or handicapped persons must send the federation or body a declaration concerning their judicial record to enable the federation or body to ensure that they have no judicial record relevant to their functions. The sports federation, sports body or recreation body must

verify the declaration or have it verified not later than two years after the date of coming into force of Chapter IV.1 of the Act respecting safety in recreation and sports, enacted by section 16. The provisions of Chapter IV.1 of the Act respecting safety in recreation and sports, enacted by section 16, apply to such a verification.

However, such persons who have already been the subject of a judicial record verification for their functions are presumed to have been the subject of a judicial record verification in accordance with the provisions of that chapter.

41. This Act comes into force on (*insert the date of assent to this Act*), except

(1) section 16, insofar as it enacts Chapter IV of the Act respecting security in recreation and sports, which comes into force on (*insert the date that is one year after the date of assent to this Act*);

(2) section 16, insofar as it enacts Chapter IV.1 of the Act respecting security in recreation and sports, which comes into force on the date or dates to be determined by the Government.

